

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, *et al.*

Plaintiffs,

v.

BRAD RAFFENSPERGER, *et al.*,

Defendants.

CIVIL ACTION FILE

NO. 1:17-cv-2989-AT

**STATE DEFENDANTS' LIMITED
RESPONSE TO COALITION PLAINTIFFS'
NOTICE OF FILING SUPPLEMENTAL EVIDENCE**

On March 6, 2020, the Court held a limited hearing to address specific questions to State-Defendant witnesses and counsel about Plaintiffs' third pair of preliminary injunction motions (collectively, the "Motions").¹ [Docs. 721-22. *See* Docs. 714-15]. The Court has not scheduled a full hearing on Plaintiffs' Motions, nor has it expressed any intention of doing so, and the Court has not otherwise requested the Plaintiffs provide any additional factual information about those Motions beyond what was included with their briefs. Coalition Plaintiffs nevertheless filed a Notice of Filing Supplemental

¹ The "State Defendants" are Secretary of State Brad Raffensperger, the State Election Board, and Board Members David Worley, Rebecca Sullivan, and Anh Le.

Evidence in Support of Pending Motion for Preliminary Injunction (“Notice”) on March 11, 2020. [Doc. 723].

The Notice contains new arguments and addresses matters to which State Defendants have not previously responded and which the parties have not briefed, including novel issues of state law currently pending in the Superior Court of Sumter County, Georgia and other legal arguments. State Defendants object to the Notice. If the Court intends to consider the arguments and information contained in the Notice as part of its ruling on the Motions, State Defendants request an opportunity to address and respond to the new legal arguments and facts prior to the Court’s ruling on the Motions.²

Respectfully submitted this 12th day of March 2020.

/s/ Vincent R. Russo
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² State Defendants are cognizant of the Court’s admonition that the parties “refrain from further efforts to needlessly expand this litigation or abuse the limited judicial resources of the Court” and therefore file only this limited response to Coalition Plaintiffs’ Notice. [Doc. 712].

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing **STATE DEFENDANTS' LIMITED RESPONSE TO COALITION PLAINTIFFS' NOTICE OF FILING SUPPLEMENTAL EVIDENCE IN SUPPORT OF PENDING MOTION FOR PRELIMINARY INJUNCTION** has been prepared in Century Schoolbook 13, a font and type selection approved by the Court in L.R. 5.1(B).

/s/Vincent R. Russo
Vincent R. Russo